

# Exhibit 52

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

**FORCE, *et al.*,**

**Plaintiffs,**

**v.**

**THE ISLAMIC REPUBLIC OF IRAN, *et al.*,**

**Defendants.**

**Civ. No. 1:16-cv-01468**

**DECLARATION OF PLAINTIFF NAFTALI MOSES**

Naftali Moses of Tekoa, Israel declares pursuant to 28 U.S.C. § 1746, as follows:

1. I hold both American and Israeli citizenship. I was born in New York, USA and lived in New York until the age of 22.
2. I am a resident of Israel, and I currently reside in Tekoa, Israel.
3. I was married to Rivka Moria from 1990-1999 with whom I had two children: Avraham David and Elisha Dan Moses. I was married to Leah Moses from 2000-2013 with whom I had two children: Ora Dina and [REDACTED]
4. I have four children: Avraham David (DOB. [REDACTED] 91-d.3/6/2008) Elisha Dan, (DOB [REDACTED] 96; Ora Dina, DOB [REDACTED] 2001) [REDACTED] (DOB [REDACTED] 2004);
5. On the evening of Thursday, March 6, 2008, in the middle of a study session with my son, Elisha Dan, at our home in Efrat, I received a call from the stepfather of my son, Avraham David, asking me whether I had heard about a terrorist attack in Yeshivat Mercaz HaRav Kook. I told him that I had not heard about the attack.
6. I turned on the internet and it was being reported that an attack had taken place at Yeshivat Mercaz Harav Kook in Jerusalem, which is adjacent to Yashlatz where my son attended high school.

7. The teenaged Yeshiva students were preparing to begin a party to celebrate the Purim holiday, marking the beginning of the joyous month of Adar, when they were attacked by an Arab terrorist. The terrorist entered the Yeshiva and proceeded to open fire on the crowded library and study hall. At this point, the broadcast had only reported that several students were injured and the death of the terrorist himself. Later it was discovered that eight people were killed and eleven were injured.
8. Being dedicated to his studies and often spending as long as sixteen to eighteen hours a day on religious learning, Avraham often spent time at the Yeshiva's library.
9. I called my son to check up on him, but there was no answer. We did not jump to any negative conclusions just then. It was not unusual for Avraham David to leave his cell phone turned off. So we decided to follow news updates for the time being.
10. We attempted to call the school's numbers to obtain information, but we were not successful. After a while, we received a call from one of our son's classmates to inform us that Avraham was missing. At this point, we were all panicking about Avraham's whereabouts and well-being.
11. Following the news updates, my son, Elisha Dan, and I began to call the numbers of the hospitals to which the wounded were being evacuated.
12. In the meantime, I was informed by my ex-wife, Rikvah, that our son had plans of studying that evening with his friend, Segev, who was also missing.
13. Numerous frantic telephone calls to hospitals returned no word on my son and his friend. Eventually, we were told by an operator at Hadassah Hospital that two unidentified victims had been admitted to Shaare Zedek Hospital.
14. After informing Leah, my wife at the time, that my son, Elisha Dan, and I would be at the hospital through the morning, we left for Shaare Zedek Hospital in Jerusalem.



15. At 11p.m., as we were driving to Jerusalem, we heard a report on the car radio that the two unidentified victims who had been admitted to the hospital were now out of danger. Certain that the report was describing Avraham and Segev, a wave of relief passed through us.
16. Within twelve minutes, we had covered the usual half hour commute to Jerusalem and reached Shaare Zedek Hospital in hope of finding Avraham waiting for us.
17. Upon inquiring at the gate, we were shooed away by the guard who told us that nobody named "Moses" had been admitted there nor was he aware of the two unidentified victims.
18. My ex-wife, Rivkah, and her then husband, David Moriah, who had just arrived at the scene, suggested that I inquire about Segev's last name, but to no avail.
19. However, the name was overheard by an elderly man and it caught his attention. He approached us and led the four of us inside the hospital. Confident that our search had ended, we followed the man into an office-cum waiting room.
20. There, we were met by Segev's parents, their faces wrought with relief and fear. His mother told us that they had been shown pictures of the boys in the operating room. They were not our children.
21. Confused and overwhelmed with worry, we began to contemplate our next step. A heavy silence loomed over us as we imagined the possibilities, an awareness of the unmentionable fact that there had been casualties.
22. Our last ray of hope came after being informed that the dead had been identified and that none of our sons was among them. Since we heard the news of the attack, our mood had been shifting quickly and brutally from concern, to relief, to anxiety, to confusion and to fear.



23. In this state of perplexity, we approached the social worker at the hospital and explained our situation, who then offered to help us by contacting the police.
24. Just after midnight, she succeeded in getting in touch with somebody who informed her that the standard practice in these situations was to remove the bodies of the victims and take them to Abu Kabir Forensic Institute in Tel Aviv for identification. The social worker suggested that we check with Avraham David's Yeshiva first, to rule out the worst.
25. Overwhelmed by where this search could lead us, I tried to call somebody at the Avraham's Yeshiva who might answer. I found the number of my son's old dormitory counsellor and reached out to him hoping he would know something.
26. After calmly listening to my predicament, the counsellor informed me that all the students and teachers had gathered at the Yeshiva, and that Avraham should surely be among everybody else. It took me a few minutes to hurriedly drive to the school.
27. I was led into the sealed-off street after talking to a policeman about my missing son. We sought help from the volunteers and social workers among the crowd at the Yeshiva, who promised to see what they can do to help us.
28. It was there that we were led to Yehudit, the social worker at Yashlatz, along with the high school's administrator, Avigdor, and two Jerusalem city officials. We were relieved that they seemed to know more than us. After telling us that we need a place to sit, they escorted us to the Dean of the Yeshiva's small office.
29. Right outside the office, we were greeted by Rabbi Yerhamel Weiss as he was exiting the study hall. Suddenly, he pulled me into a hug and said "What the Lord gives, the Lord takes away." All of us knew immediately what that meant. In one moment, our lives were irrevocably changed. Our son had been murdered.



30. We learned that our son, Avraham, and his friend, Segev, had been among the five who were shot dead in the library. We learned of how the boys rushed to the stacks of books upon seeing the gunman enter the library, a hiding place that trapped them and left them with nowhere to run as the terrorist walked slowly among the stacks and emptied magazines from his Kalashnikov machine gun into the bodies of the petrified children.
31. As a parent, the brutal manner in which my child suffered in the moments leading up to his death was the hardest fact to cope with. To imagine his fear as he crouched among the stacks, barely able to grasp what was happening, wishing he could call for help, haunted my thoughts and gave me nightmares. The heart-wrenching pain and helplessness I have felt ever since cannot be fathomed unless one knows the grief that comes with losing a child in circumstances so macabre.
32. In 2008, I was finishing my doctorate in medical history at Bar Ilan University, mapping out an academic career, successfully lecturing at local academic conferences, and investigating post-doctoral fellowships. I was sure to become a career academic and professor.
33. After my son's murder, I no longer had the strength for academic pursuits. I was emotionally overwrought and derailed from my career path which was much too demanding amidst the anguish and the mourning. Losing a young child to such an atrocious crime killed a part of me that has not been revived until today and will continue to haunt me for the rest of my life.
34. My family needed me much more than ever in dealing with the trauma, an exercise often thwarted by the many memorial services we were obliged to attend. The ordeal was exhausting and painful each time as it made our wounds fresh again. Our life



henceforth was shaped by the memory of our son and brother, tragically snatched away from us in his youth, never to experience all of the things life had to offer.

35. The shock and pain of this horrendous incident was felt throughout Israel and the Jewish world, so private mourning was not a luxury accorded to our family. We lived each day weighed down by resentment and grief, with a constant reminder of our beloved son's unlived life, abruptly and pointlessly ended. Even during the initial phase of mourning, before we had barely recovered from the shock, we were not spared by the glaring, though well meaning, public eye.
36. The situation was worsened by the often horrific ways in which the tragedy was reported in the media. The reactions bordered on outrageous, with certain reporters justifying the logic of revenge and painting the massacre as merely a reaction to the Israel Defense Forces' actions in Gaza, albeit without any proof of the terrorist's motivations. People viewed the tragedies through the lens of their own perspectives, many of which were apologetic of the perpetrator, and some extremely insensitive, implying with apathetic undertones that "life would go on".
37. The numerous difficulties my family and I were going through, prompted me to write an entire book as a way of coping with the loss and dealing with the events that followed it. It was a difficult, but necessary endeavour.
38. Over a year was spent in seeing through the completion of this memoir, a period during which I could not contemplate returning to academic work.
39. After the completion of the memoir, the burden placed on our family as a result of the murder grew too much to bear for my then-wife, Leah, who sunk into deep depression and had frequent anxiety attacks. This further strained our entire family.
40. Leah had not required any psychiatric care to my knowledge prior to Avraham David's murder.



41. Leah left her part-time teaching job, and could not even function well enough to care for the home and our children. I needed to do the laundry, the cooking and cleaning, along with much of the childcare which our young daughters needed. My by-now teenaged son, Elisha, also needed a lot of emotional support. I traveled frequently to visit him in the high school dormitory where he lived and studied most of the week. This left little time for work.
42. Although I had begun to lecture at Shaare Zedek Hospital's Nursing School, teaching medical ethics, my then-wife's condition worsened to the point that even part-time employment grew more difficult for me. She was under psychiatric care, medicated for depression, and dealing less and less with our children and home than ever before.
43. Unfortunately, a change of medication precipitated a major manic episode and she decided to leave our marriage of thirteen years for another man within a matter of weeks. We divorced within a few months' time.
44. Of course, this was devastating to me and my children. As my ex-wife, Leah, was still unable to properly care for our two daughters. Our younger girl, [REDACTED] lived with me full time, while our older daughter, Ora Dina, spent a few days a week with her mother.
45. Within a year of our divorce, my ex-wife, Leah, suffered an acute depressive episode and needed to be hospitalized. She was not able to see our children at all for over four months. They both lived with me full time. Needless to say, they were again severely traumatized and I needed to devote all my energies to caring for them. I had neither the time nor strength to pursue professional work. I lived on savings and a small pension from the government, visiting a therapist weekly for help coping with my trying circumstances.



46. I have spent the nearly ten years since my son's murder dealing with its horrendous effects on a daily basis. My son's death unbalanced my entire family and we have all suffered greatly, living lives completely different than those we had before his murder. I have given up the hope of a promising academic career and my children have had to deal with the rupture of their family—losing stability and innocence along the way.
47. My daughter, [REDACTED] was only three years old when her brother, Avraham, was murdered. When I asked her recently about its effects on her she noted how it robbed her of her childhood, forcing her to confront things beyond her years. She feels embittered that the unfairness of this loss was thrust upon her. Since she was so young when her brother was killed, she has few direct memories of him and for her this in itself is difficult. Not only was her brother taken from her, but the very chance to forge memories of him was also destroyed. This has created a sense of double bereavement for her. She has needed years of therapy, still ongoing, to deal with its effects. She has needed therapy to deal with the trying circumstances of loss which have surrounded her since an early age. She has anger management issues which stem from her feeling the injustice of her brother's murder.
48. My daughter, Ora Dina, age 16, was very close to her brother, Avraham David. She would always eagerly await his arrival from school and she loved spending time with him. His death was extremely hard on her, bringing her to question our family's strong faith in God as religious Jews and her own place in the world. Although academically gifted, she has moved from school to school since then, and has had difficulty forming and keeping friendships. Unfortunately, she has also had to bear the brunt of much of her mother's dysfunction as a result of her brother's murder. As is typical in families with a mentally ill parent, she has taken on the role of "caregiver", having difficulty



being a daughter to her mother Leah and trying to act more like a "partner." This has also caused her to distance herself from other members of the family. She has difficulty relating to her peers, finds it hard to make close friends and is very much alone in her suffering and extremely dependent upon therapy to this day. It has cost thousands of dollars.

49. Elisha Dan and his brother were a pair. Each was the only full sibling the other had.

Losing his one full brother was very difficult for him. This loss has left him under motivated in many spheres of his life, as if he is worried about investing too much, only to lose it in the end.

50. In conclusion, I would like to reiterate that no recovery is possible from a tragedy so gruesome. We, as a family, have been victimized by the brutal consequences of hatred. In the years following the tragedy and the resultant falling apart of the family, we have faced the immense struggle of finding a new normal. However, the extreme misfortune that had befallen us and turned our lives upside down, continues to color every day of our existence. We used to travel frequently on family trips—these are no longer. We live today with memories of our son and brother and the pain of imagining the possibilities for his life had he not been deprived of it at such a tender age.

51. Attached are photographs of my beautiful son over the years, photographs 1-18.

52. Photograph 19 is a photo that especially haunts me. It is my son's bloody sneakers.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on 12/24, 2017



Naftali Moses